6392530/2022/SEC-IV-EFS01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – A.P. Forest Department – Memorandum of Charge framed against Smt. P. Jaya Lakshmi, Forest Beat Officer (contract), earlier worked in Wild Life Management Beat, Coringa of Wild Life Management Range, Kakinada, Wild Life Management Division, Rajamahendravaram of Rajahmundry Circle – Retired on 31.05.2019 - Departmental Proceedings under Rule 9 of the A.P. Revised Pension Rules, 1980 - Orders – Issued - Reg.

ENVIRONMENT, FORESTS, SCIENCE AND TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.Rt.No.101 **Dated:16.09.2022**

Read the following:

1) Memo.No.4682/Sec.IV/A1/2018-2, EFS & T (Sec.IV) Dept., dated 14.11.2018.
2) Memo.No.4682/Sec.IV/A1/2018-3, EFS & T (Sec.IV) Dept., dated 14.11.2018.
3) From the Principal Chief Conservator of Forests & HoFF, A.P., Guntur, Lr.Ref.No.EFS02-19024/75/2018/Vig-1, dated 02.07.2022.

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ORDER:

In continuation of the orders issued under Rule 24 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 1st read above and under the sub-clause (i) of the clause (b) of sub-rule (2) of Rule 9 of the Revised Pension Rules, 1980, it is proposed to hold an inquiry against Smt. P. Jaya Lakshmi, Forest Beat Officer (contract), retired on 31.05.2019, earlier worked in Wildlife Management Beat, Coringa of WLM Range, Kakinada, Wildlife Management Division, Rajamahendravaram of Rajahmundry Circle in accordance with the procedure laid down in Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991. The inquiry will be conducted by the Government in the Common Proceedings as per orders issued in the memo read above.

2) The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of Charge (Annexure-I). A statement of the imputations of misconduct or misbehavior in support of such Articles of Charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom, the Articles of Charge proposed to be sustained are also enclosed (Annexure-III and IV).

3) Smt. P. Jaya Lakshmi, Forest Beat Officer (contract), retired on 31.05.2019 is directed to submit a written statement of her defence within (10) days of the receipt of this order and also inform whether she desires to be heard in person before the undersigned.

4) Smt. P. Jaya Lakshmi, Forest Beat Officer (contract), retired on 31.05.2019 is informed that an inquiry will be held only in respect of those Articles of Charge as are not admitted. She should, therefore, specifically admit or deny each Articles of Charge.

5) Smt. P. Jaya Lakshmi, Forest Beat officer (contract), retired on 31.05.2019, is informed that, if she does not submit her written statement of defence within the time specified in para 3 above or does not appear in person before the Inquiring Authority or otherwise fails to refuse to comply

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with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against her.

6) The receipt of the G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Smt. P. Jaya Lakshmi, Forest Beat Officer (contract), retired, earlier worked in Wild Life Management Beat, Coringa of Wild Life Management Range, Kakinada, Wildlife Management Division, Rajamahendravaram of Rajahmundry Circle (in duplicate) (through Principal Chief Conservator of Forests & HoFF, A.P., Guntur).

Copy to:

The Principal Chief Conservator of Forests & HoFF, A.P., Guntur. (He is requested to serve the Government Orders on the retired Charged Officer, obtain dated acknowledgment on the duplicate copy and submit the same to the Government immediately)
SF/SC (Computer No.1779188)

//FORWARDED :: BY ORDER//

SECTION OFFICER

6392530/2022/SEC-IV-EFS01

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SMT. P. JAYA LAKSHMI, FOREST BEAT OFFICER (CONTRACT) RETD., EARLIER WILDLIFE MANAGEMENT BEAT, CORINGA OF WILDLIFE MANAGEMENT RANGE, KAKINADA OF WILDLIFE MANAGEMENT DIVISION, RAJAMAHENDRAVARAM OF RAJAHMUNDRY CIRCLE.

That the said Smt. P. Jaya Lakshmi, Forest Beat Officer (contract & retired) while she working in Wildlife Management Beat, Coringa of Wildlife Management Range, Kakinada of Wildlife Management Division, Rajamahendravaram Division from 17.11.2014 to 31.05.2019 she had committed the grave misconduct, irregularities and negligence and malicious attitude in the duties and executed the works for self profit with substandard quality and quantity of works in CBET and other works at Chollangi in WLM Section, Coringa of Coringa Wildlife Sanctuary of Wildlife Management Range, Kakinada of WLM Division, Rajamahendravaram as mentioned in the following Articles of charge.

ARTICLE OF CHARGE:

Construction of wooden foot path in CBET, Chollangi :

"That she had shown gross negligence and malicious attitude in the duties and executed the works for self profit with substandard quality and quantity of woks in construction of wooden foot path at CBET., Chollangi (V), Tallarevu (M) and that **i)** she had intentionally prepared and submitted the proposals for execution of the work of wooden foot path at CBET., Chollangi splitting the same into eight separate works indiscriminately violating the Section (99) of A.P. Forest Department Code Vol-I and Government instructions, **ii)** Resorted to misappropriation of Government funds to a tune of Rs.6,42,220/- with the active connivance of Sri A. Sunil Kumar, Forest Range Officer and Sri V. Prabhakara Rao, Divisional Forest Officer and Sri K. Ramakrishna, Owner of M/s. Sri Ramakrishna Mechanized Wood Work, Kakinada by submitting improper vouchers based on fake, fabricated bills with forged signatures and recommended for payments, **iii)** Drawn the huge amounts from joint account of Sri Kodanda Rama EDC and incurred the expenditure without obtaining prior sanction for the works contrary to the instructions contained in Section 99 of APFDC. Vol-I., and **iv)** all the vouchers for the amounts exceeding Rs.5,,000/- were prepared and submitted by her were paid in cash instead of through cheque violating Section 99 (5) A) of AP. Forest Department Code Vol-I and also instructions of the Prl.CCF& HoFF., AP., Hyderabad in Rc.No. 34670/2010/CAMPA/M3, dt.21.01.2010.

That, **Smt. P. Jaya Lakshmi, Forest Beat Officer(contract), Retired on 31.05.2019, earlier worked in Wildlife Management Beat, Coringa of WLM Range, Kakinada of Wildlife Management Division, Rajamahendravaram of Rajahmundry Circle** by her above mentioned acts has exhibited lack of integrity, discipline and devotion to duty and conduct unbecoming of a Government servant and thereby contravened Rule-3 (1) of the A.P.C.S. (Conduct) Rules, 1964. **Hence the charge**".

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE – II

STATEMENT OF IMPUTATIONS AND MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST SMT. P. JAYA LAKSHMI, FOREST BEAT OFFICER (CONTRACT), RETIRED ON 31.05.2019 EARLIER WORKED IN WILDLIFE MANAGEMENT RANGE, CORINGA, WILDLIFE MANAGEMENT RANGE, KAKINADA OF WILDLIFE MANAGEMENT DIVISION, RAJAMAHENDRAVARAM OF RAJAHMUNDRY CIRCLE:

That the said Smt. P. Jaya Lakshmi, Forest Beat Officer (contract & retired) while she working in Wildlife Management Beat, Coringa of Wildlife Management Range, Kakinada of Wildlife Management Division, Rajamahendravaram Division from 17.11.2014 to 31.05.2019, she had committed the grave misconduct, irregularities and negligence and malicious attitude in the duties and executed the works for self profit with substandard quality and quantity of works in CBET and other works at Chollangi in WLM Section, Coringa of Coringa Wildlife Sanctuary of Wildlife Management Range, Kakinada of WLM Division, Rajamahendravaram as mentioned in the following Articles of charge.

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Construction of wooden foot path in CBET, Chollangi :

"That she had shown gross negligence and malicious attitude in the duties and executed the works for self profit with substandard quality and quantity of woks in construction of wooden foot path at CBET., Chollangi (V), Tallarevu (M) and that **i)** she had intentionally prepared and submitted the proposals for execution of the work of wooden foot path at CBET., Chollangi splitting the same into eight separate works indiscriminately violating the Section (99) of A.P. Forest Department Code Vol-I and Government instructions, **ii)** Resorted to misappropriation of Government funds to a tune of Rs.6,42,220/- with the active connivance of Sri A. Sunil Kumar, Forest Range Officer and Sri V. Prabhakara Rao, Divisional Forest Officer and Sri K. Ramakrishna, Owner of M/s. Sri Ramakrishna Mechanized Wood Work, Kakinada by submitting improper vouchers based on fake, fabricated bills with forged signatures and recommended for payments, **iii)** Drawn the huge amounts from joint account of Sri Kodanda Rama EDC and incurred the expenditure without obtaining prior sanction for the works contrary to the instructions contained in Section 99 of APFDC. Vol-I., and **iv)** all the vouchers for the amounts exceeding Rs.5,,000/- were prepared and submitted by her were paid in cash instead of through cheque violating Section 99 (5) A) of AP. Forest Department Code Vol-I and also instructions of the Prl.CCF& HoFF., AP., Hyderabad in Rc.No. 34670/2010/CAMPA/M3, dt.21.01.2010.

Basis of the charge:-

On a compliant petition made by the Grama Surpanches, MPTCs, EDC Members, MPP and ZPTCs, etc., of Tallarevu Mandal of East Godavari District through the Hon'ble Minster for Finance and upon directions issued by the Vigilance Commission of Andhra Pradesh, the Vigilance and Enforcement Department Officials have take up the detailed inquiry regarding misappropriation of Developmental funds in execution of works pertaining to Community Based Eco Tourism (CBET) in Coringa Wildlife Management Sanctuary of Wildlife Management Division, Rajahmundry. The V&E Department has taken up the inquiry along with the officials of Forest Department and the concerned Chairman and members of Eco Development committees on the following allegations.

Allegation-1:

The Forest Officials have executed the works through the contractor for their self profits and constructed a foot over wooden bridge in Chollangi tourism for Rs.36,00,000/- with substandard quality, though the works are to be executed through the Eco-Development Committee (EDC).

During the inspection of foot over wooden bridge in Community Based Eco Tourism (CBET) in Chollangi, which is constructed for a total length of 2,290 meters by using the material like jungle wood plants, reapers, Palmyrah Bajus etc monolithic fencing stone, nails, paints, cement concrete in foundations etc., it was noticed that,

i) as verified the technical sanctioned orders/ Revised sanction orders originally nine works sanctioned with eight estimates costing Rs. 69,59,500/- entrusting to Sri Kodandarama EDC, Chollangi and one work costing Rs. 6,95,000/- under departmental execution. But while revising the estimates only three works costing Rs. 26,86,000/- were entrusted to Sri Kodandarama EDC, Chollangi and five works costing Rs. 38,28,500/- were proposed to be taken up by the Forest Department officials through Departmental execution method.

ii) As per Section 99 of the A.P. Forest Department code as amended in G.O.Ms.No.2, EFS & T (For.III) Dept., dated 07.01.2004, the powers delegated for sanction of estimates to the Forest Officials in the Department to the various categories is as follows.

1. Prl. Chief Conservator of Forests & HoFF	- No limit
2. Conservator of Forests	20,00,000/-
3. Divisional Forest offices	10,00,000/-
4. Sub- Divisional Forest Officers	1,00,000/-
5. Forest Range officers	50,000/-

Initially the total estimate cost of the wooden bridge is Rs.76,54,500/- and the same was to be sanctioned by the Principal Chief Conservator of Forests as per the above norms. But, the Charged Officer has taken active steps and submitted the proposals to the higher authorities for sanction of the works and got split the above work into (9) Sanctioned Orders indiscriminately and obtained the sanctioned each estimate costing below Rs.10-00 lakh to bring the same within the sanctioning powers of the DFO violating sanction (99) Chapter-VIII of the A.P. Forest Dept., Code Vol-I, which stipulates that "**the estimates for works should be prepared based on approved schedule of rates. No expenditure should be incurred without a sanctioned estimate. The estimate should be sanctioned by the competent authority. A single work should not be allowed to be spilt for avoiding sanction from higher authorities**". Thus, the Charged Officer is alone responsible to spilt the work estimates to bring the works within the sanction of Division level with malafide intention.

iii) As per para 4.3.2 of A.P. State CAMPA guidelines and as per Section 95 (5) of G.O.Ms.No.2 EFS&T(For.III) Dept, dt.07.01.2004 that "Entrustment of works on nomination is limited to Rs. 1.00 lakh only. In case of works above Rs. 1.00 lakh, the entrustment on nomination to the selected agencies can be resorted if there is no proper response to the call of tenders or in case of extreme urgency like natural calamities, visits of VVIPSs security, etc., to be decided by the Conservator of Forests".

Further, as per Section 95 (5) of G.O.Ms.No.2 EFS&T(For.III) Dept, dt.07.01.2004, the following are the powers of different Forest officers for "entrustment of works on Nomination" at estimated rates.

Sl. no.	Designation	Sanction limit in Rs.
1	2	3
1	Forest Section Officer and Deputy Range Officer	25,000/-
2	Forest Range Officer	50,000/-
3	Sub- Divisional Forest Officer	1,00,000/-
4	Divisional Forest Officer	3,00,000/-
5	Conservator of Forests	5,00,000/-
6	Prl. Chief Conservator of Forests	10,00,000/-

The Charged Officer had managed the things and taken action to entrust the above three works costing Rs.7,70,000/-, Rs.9,96,000/- and Rs. 9,20,000/- (total Rs. 26,86,000/-) respectively by the DFO., WLM Division, Rajahmundry to Sri Kodanda Rama EDC, Chollangi beyond the power of DFO to entrusting on nomination i.e., Rs.3.00 lakh limit as amended in G.O.Ms.No.2, EFS & T (For.III) Dept., dt.07.01.2004, which is against to guidelines of nomination of works issued as per Para 4.3.2 of the A.P State CAMPA as well as amendment issued to Section 95 (5) of APFC. Further, the Charged Officer did not conclude any agreements with the EDC for the above three works entrusted to Sri Kodandarama EDC, Chollangi.

iv) The total expenditure claimed for construction of the wooden bridge is Rs.65,29,883/-. As per the measurement book (M. Book), the work was executed and payments were made between September, 2015 and December,2015. But out of nine estimates originally sanctioned, eight estimates were get sanctioned by the Divisional Forest Officer WLM Division, Rajahmundry during the month of November, 2015 i.e., after commencement work and that after release of payments in the month of November, 2015. This clearly shows on the part of Charged Officer that the malpractice attitude and violation of norms of the A.P.Forest Department Code as well as Circular instructions issued by the Prl.CCF in Ref.no.34670/2010/CAMPA-M3, dt.21.01.2010 wherein it is ordered that "the officers should ensure that no works are taken up without recording the check measurement particulars in M.Books and passing the bills". The total cost of the wooden bridge at Chollangi is Rs.65.00 lakh above and the Prl.CCF has to accord the sanction order for the said work. But, the DFO has got spilt the same into (8) estimate each costing below Rs.10.00 lakh with ulterior motto so as to bring the same into the sanctioning powers of the DFO which is violation of above stated Rules and procedure.

v) Also, as verified from the expenditure particulars an amount of Rs.8,47,000/- was spent against the estimate provision of Rs. 7,70,000/- with an excess of Rs.77,000/- over the sanctioned estimate amount. But the Charged Officer herein did not submit any proposals to obtain permission from the competent authority i.e., Conservator of Forests (next higher authority as per para 105 of APFDC Vol-I Chapter-VIII) by the DFO., WLM, Rajahmundry for the expenditure incurred over and above the estimate sanctioned amount.

vi) The Forest Section Officer, Forest Beat Officer, and the Chairman of EDC concerned had drawn the lump sum amounts for the payment of purchased material and for labour work from their accounts, but the payments to traders were made through vouchers without issuing cheques. Thus, the Charged Officer had issued the cheques, even though the payments were done through vouchers and thereby committed the irregularities.

vii) On verification of the records, it is observed that the works were taken up and payments were made prior to sanction of the estimates on 30.09.2015 and revised sanctioned in the month of November, 2015. But on verification of vouchers reveled that an amount of Rs.4,56,000/- i.e., i) Rs.1,82,526/- (10 vouchers) against the Sanction Order no.33/2015, ii) Rs.1,76,874/- (9 vouchers) against the Sanction Order no. 34/2015 and iii) Rs.96,600/- (4 vouchers) against the Sanction Order no.35/2015 was paid by the Charged Officer and by the EDC on 23.09.2015 itself prior to sanction of the estimates / revision of estimates violating the APFD Code Vol-I and Circular instructions of the Prl.CCF & HoFF., AP., Hyderabad issued in Ref. no.34670/2010/CAMPA-M3, dt.21.01.2010.

viii) During verification of the records, it is also clear that the Charged Officer has split all the bills into Rs.23,000/- each (i.e., below Rs.25,000/- each) to avoid check measurement by the Forest Range Officer and Divisional Forest Officer. However, even those bills are not test checked by the Forest Section Officer and Forest Range Officer or Divisional Forest Officer as per the norms. Further, it is also noticed that the Charged Officer has failed to maintain the check measurements Register. Thus, it is obvious that the Charged Officer herein has failed to procedure of check measurement of works as prescribed under Section 102 (3) of the A.P. Forest Department Code as amended in G.O.Ms.no. 2 EFS&T (For. III) Dept, dt.07.01.2004.

ix) The V&E Officials have also observed that as per CAMPA guidelines under item no. 5.1 and Section 105 of G.O. Ms. no. 2 EFS&T (For. III) Dept, dt.07.01.2004 that the "power for passing of bills for making payment on account" of work done or supplies made by the contractors / piece workers up to the following limits on any single bill.

a. DFO- Rs. Above 50,000/-,
b. FRO- Rs. 50,000/-
c. DRO/FSO- Rs. 25,000/-.

In respect of works up to Rs. 1.00 lakh, payments for all the bills passed by the FSO/ FRO for these works shall be made by the Forest Range Officer by cheque. In respect of works value of which is more than Rs.1.00 lakh payments should be made only by the Divisional Forest Officer. But, in all the bills passed by the Forest Section Officer payment done in cash only. Hence, the Charged Officer is also responsible and that she has failed to follow the proper system of accounting in this regard.

As a part of verification of the record, the V&E Officials have verified the Bank Account no. 034710100047947 of the Forest Range Officer, Wildlife Management Range, Kakinada for the period from 25.08.2015 to 24.06.2016 and noticed that the Forest Range Officer, WLM Range, Kakinada has issued bearer cheques to Sri M. Steven, Sri V. Vishnu Murthy who are working as Range Assistants (out sourcing) and Sri T. Raja Babu, Sri P. Rambabu and Sri M. Tarakeswara Rao who are said to have executed the works and issued self cheques with huge amounts on the same day and drawn the amounts from Joint Account no. 057410100061901 through Sri V. Venkanna, Chairman of Sri Kodanda Rama EDC from 21.04.2015 to 28.03.2016 violating Section 105 of G.O. Ms. no. 2 EFS&T (For. III) Dept, dt.07.01.2004. Thus, it is clear that the Forest Beat Officer has failed to guide properly to the Forest Range Officer and Forest Section Officer as a result the Forest Range Officer has issued cheques beyond his limit.

x) The monthly account for the month of December, 2015 in Form FA-IX executed departmentally was rendered by the Forest Range Officer, WLM Range, Kakinada for an amount of Rs.40,88,420/- as against the actual

drawn amount of Rs.44,35,000/- which shows that the Charged Officer did not account for the amount drawn which shows the Forest Beat Officer, WLM Beat, Coringa has flouted the Rules as stipulated in the A.P. Financial Code as well as other instructions issued by the higher authorities in accounting procedure. This clearly indicates that the unaccounted money is kept as cash on hand without depositing in the Bank. Hence, there is a clear misappropriation of Government money, which took place in these works due to negligence of Delinquent Officer.

xi) Regarding procurement of material for the constructions of wooden bridge, following lapses have been observed.

A) <u>Procurement of wooden planks and Reapers</u>:

a) Wooden planks required for construction of foot over wooden bridge were procured from M/s. Sri Ramakrishna Mechanized Wood Works Saw Mill, Kakinada. The wooden planks were procured in the name of Sri Kodanda Rama EDC, Chollangi with the specification in the bill as "49.212" X 6"X1.25" size Marujathi wooden planks at the rate of Rs.23,000/- per cum". Payments were made at Rs.23,000/- each time in many spells on the same date to Sri K. Ramakrishna, owner of M/s. Sri Ramakrishna Mechanized Wood Works Saw Mill.

b) In the bill, the specification is mentioned as "49.212" x 6"x1.25" size Marujathi wooden planks at the rate of Rs.23,000/- per cum" which indicates that the owner of the firm had to supply wooden planks of that size as finished product. But, charged for cutting and conversion charges for wooden planks separately as tabulated below which are paid in excess.

D.S.O. no.	As per estimate		As per vouchers			
	Quantity	Amount	Quantity	Amount	Bill no.	Date
	Cum	@7000/ cum	cum	@7000/ cum		
33A/2015	11.00	77,000	12.3	86,100	9,8,7,6,5	17.10.15
34A/2015	13.70	95,900	13.67	95,900	4,13,12,11,10	18.10.15
35A/2015	13.10	91,700	13.1	91,700	17,16,48,15	19.10.15
41A/2015	13.30	93,100	13.3	93,100	77,76,80,79,8	25.11.15
43A/2015	8.87	62,090	8.87	62,090	10,11,12	25.11.15
45A/2016	13.70	95,900	13.7	95,900	29,30,31,32,33	28.11.15
46A/2015	7.82.	54,740	7.82	54,740	46,47,48	28.11.15
57/2015	9.67	67,690	9.67	67,690	59,60,61,98	02.12.15
TOTAL		**6,38,120**		**6,47,220**		

c) Procurement of Reapers for fastening the wooden planks:

D.S.O. no.	As per estimate		As per vouchers			
	Quantity in no.	Cost @ Rs.35/cum	Quantity in no.	Cost @ Rs.35/cum	Bill no.	Date
33.A/2015	546	19,110	620	23,043	39	17.10.15
34.A/2015	680	23,800	680	27,059	37	18.10.15
35.A/2015	650	22,750	624	22,730	87	02.11.15
41.A/2015	660	23,100	660	27,014	85	25.11.15
43.A/2015	440	15,400	440	15,400	14	25.11.15
45.A/2016	680	23,800	680	27,487	34	28.11.15
46.A/2015	388	13,580	388	13,580	49	28.11.15
57/2015	480	16,800	480	23,573	64	02.11.15
TOTAL	**4,524**	**1,58,340**	**4,572**	**1,79,886**		

d) Transportation charges for jungle wood planks from Ramanayyapeta to Chollangi CBET including loading and unloading charges:

D.S.O. no.	As per estimate		As per vouchers			Date
	Quantity in cum	Amount (As per actual)	Quantity in cum	Amount (As per actual)	Bill no.	
33.A/2015	11.00	5,000	..			
34.A/2015	13.70	5,000	..			
35.A/2015	13.10	5,000	..			
41.A/2015	13.30	5,000	LS	5000	81	25.11.15
43.A/2015	8.87	5,000	..	5000	13	25.11.15
45.A/2016	13.70	5,000	..	5700	28	28.11.15
46.A/2015	7.82	5,000	..			
57./2015	9.67	5,000	..			
TOTAL		**25,000**		**15,700**		

e) Transportation charges for reaper from Ramanayyapeta to Chollangi CBET including loading and unloading charges as per the provisions made in the sanctioned estimate. The details are tabulated below:

D.S.O. no.	As per estimate		As per vouchers			Date
	Quantity in cum	Amount (As per actual)	Quantity in cum	Amount (As per actual	Bill no.	
33.A/2015		6,000	..	6,000	4	17.10.15
34.A/2015		6,000	..	6,000	36	18.10.15
35.A/2015		6,000	..	6,000	88	02.11.15
41.A/2015		6,000	..	6,000	83	25.11.15
43.A/2015		6,000	..	6,000	14	25.11.15
45.A/2016		6,000	..	6,000	35	28.11.15
46.A/2015		6,000	..	6,000	49	28.11.15
57./2015		6,000	..	6,000	64	02.12.15
TOTAL		**48,000**		**48,000**		

f) An amount of Rs.30,17,366/- was claimed towards purchase of wooden planks of 15,387 no., reaper 4,572 no. cutting charges and transportation charges by submitting forged bills on the empty bills obtained from M/s. Sri Ramakrishna Mechanized Wood Works, Kakinada. Actually, the empty bills meant for use of cutting charges only not for selling material.

g) Sri K. Ramakrishna, owner of M/s. Sri Ramakrishna Mechanized Wood Works, Kakinada obtained the Forest license no.1694/1999- P2, under A.P. Saw Mill (Regulations) Rules, 1969, to run a Vertical Saw of 16 HP and to cut the exempted timber wood only like Vepa, Kanuga, Coconut and Palymarah (Tati), etc,. But, the Saw Mill owner Sri K. Ramakrishna had issued empty bill book meant for cutting charges to the Forest Officials, and that the Charged Officer has used the bills to claim for the cost of purchased material.

h) The following vouchers were prepared that all payments were made to Sri T. Ramakrishna by cheque.

D.S.O. no.	As per estimate		As per vouchers	
	Bill no.	Date	Amount paid	Payment was made by cheque no.
33.A/2015	1 to 10, 18 to 25 & 39	17.10.2015	398043	742985/ 29.12.2015
34.A/2015	27,29,31,30,32,33,35,41,42,43,45,46,28,65,14,13,12,11,38,37,36	18.10.2015	444059	742986/ 29.12.2015

35.A/2015	64,63,62,58,59,57,53,52,51,50,49,47, 26,17,16,48,15,66,67,68	19.10.15, 18.10.15 & 2.11.2015	421730	742989/ 30.12.2015
41.A/2015	63,64,65,66,67,68,69,70,71,72,73,74,75,77,76,80,79,81,82,83,54	25.11.2015	437014	372403/ 25.11.2015
43.A/2015	1 to 14	25.11.2015	292500	372404/ 25.11.2015
45.A/2016	15 to 35,56	28.11.2015	450187	372405/ 28.11.2015
46.A/2015	36,38,39,40,41 to 49	28.11.2015	254160	372406/ 30.12.2015
57./2015	50 to 56,57,58,59,60,61,62,98, 64,61,81	01.12.2015	319673	01/ 30.12.2015
		Total	**30,17,366**	

In this regard, as verified from the bank statements of Forest Range Officer and Kanaka Durga EDC, the amounts said to have paid to Sri K. Ramakrishna, M/s. Sri Ramakrishna Mechanized Wood Works, Kakinada by cheques were actually drawn by the following persons.

DSO no.	Cheque no. and date	Amount in Rs.	Amount drawn by
1	2	3	4
Cheques issued by EDC Chairman and FSO			
33 A/2015	742985/ 29.12.2015	6,31,700/-	Sri V. Venkanna, Chairman of Kodandarama EDC
34 A/2015	742986/ 29.12.2015	4,68,200/-	Sri V.Venkanna, Chairman of Kodandarama EDC
35 A/2015	742989/ 30.12.2015	6,14,000/-	Sri V.Venkanna, Chairman of Kodandarama EDC
Cheques issued by the FRO			
41 A/2015	372403/ 25.11.2015	50,000/-	Sri G. Durga Rao
43 A/2015	372404/ 25.11.2015	50,000/-	Sri R. Ramadasu
45 A/2015	372405/ 28.11.2015	5,15,000/-	Sri V.V. Murthy
46 A/2015	372406/02.12.2015	2,76,000/-	Sri Ramakrishna MWW, Kakinada
57/2015	01/ 06.12.2015	5,00,000/-	Sri V.V. Murthy
	Total	**31,04,900/-**	

On examination of Sri M. Steven and Sri V. Vishnu Murthy on 19.05.2015 and 26.05.2015 by the V&E Officials regarding huge amounts drawn by them, they informed that they have been working as Range Assistants (out sourcing) in the O/o the Forest Range Office, WLM Range, Kakinada from the last eight years to assist the Range Officer in all Office correspondence. In this connection, the Range Officer generally issues counter signed bearer cheques on their name and they withdrawn the amounts and handover the amount to the Forest Range Officer. The above self cheques were also withdrawn by them. It clearly shows that the amounts were drawn in cash through the self cheques but recorded the vouchers as if the payments were made by cheque to M/s. Sri Ramakrishna Mechanized Wood Works, Kakinada.

i) As per section 99.5.a of the APFD Code and as per instructions of PCCF in Circular Memo.Ref.no.34670/2010/CMPA-M3, dt.21.01.2010, for all works costing Rs.5,000/- and above, payment shall have to be made only by cheque. But herein all the payments were made on the above work by Sri Venkanna, Chairman of Sri Kodanda Rama EDC, Chollangi and the Forest Section officer and the Forest Range Officer, Wildlife Management, Kakinada are in cash, intentionally violating the norms. Hence, the charged officer is responsible for the lapses.

j) Sri K. Rama Krishna, Owner of M/s. Rama Krishna Mechanized Wood Works Sawmill, Kakinada was examined on 30-05-2017 regarding genuineness of the bills given by him towards supply of the wooden planks to the Forest Department officials towards construction of the wooden bridge. He informed that:

a. Regarding payments of Rs.30,17,366/- made to him towards supply of Marujathi wooden planks to Forest Department Officials, he supplied only Rs.2,76,000/- worth Marujathi wooden planks at the rate of Rs.650/- per cft. including the cost of transportation and reapers to Forest Department Officials. The amount was received through a cheque no.372406 and the same was deposited in his Syndicate Bank, Vakalapudi Branch Account no.33581400000074. He did not give any receipt through the bill book towards the above to Forest Department Officials.

b. As per the request of the Forest Department Officials he given empty bill book of his firm which is meant "for the cutting charges" in his saw mill as the Forest department Officials are the licensing authority to his saw mill. The Forest Department Officials fabricated and signed the bills for the remaining amount. He did not sign the bills and no clerk is available in his sawmill to sign the bills.

B) <u>Procurement of Palmyrah Bajus for the construction of the wooden bridge:</u>

1. As verified from the vouchers, the palmyrah Bajus with a length of 6 Mts. (5X4") were purchased from Durga Ravulamma Timber Depot, Jaggampeta(V) and (M) for a quantity of (771) no. with a cost of Rs.500/- per each Baju during September, November and December of 2015. An amount of Rs.3,85,500/- towards cost of Bajus for a quantity of 771 no. (6 m x 5 x 3"), Rs.31,850/- towards transportation charges for palmyrah Bajus from Jaggampeta to CBET, Chollangi including loading & unloading charges, totaling of Rs.4,17,350/- was paid.
2. The Forest Officials had claimed Rs.4,16,850/- towards purchase and transportation charges for (771) no. of Palmyrah Baju charges by submitting forged bills obtained as empty bills from Sri Durga Ravulamma Timber Depot, Jaggampeta.
3. The vouchers were recorded that Rs.1,77,000/- was made by cash on 23.09.2015, Rs.1,97,350/- was made by cheque no.372402 on 25.11.2015, Rs.42,500/- was made cheque no.7 on 30.12.2015.
4. It is observed from the Bank Account no.034710100047947 of Forest Range Officer, Wildlife Management, Kakinada that an amount of Rs.13,85,000/- was drawn by Sri M. Steven, Range Assistant in cheque no.372402 on 25.11.2015 which is said to have paid to Sri P. Rambabu, Owner of Durga Ravulamma Timber Depot, Jaggampeta.
5. It is also observed that the payments were made to Sri P. Rambabu in the month of September and November, 2015. In December, 2015 Rs.42,500/- was only paid in Bill no.70 and 71. But, it is observed from the Bank Account no. 034710100047947 of Forest Range Officer, Wildlife Management, Kakinada that Sri P. Rambabu had drawn an amount of Rs.2,92,000/- in cheque no.02 to 07 on 22.12.2015 and an amount of Rs.1,40,000/- in cheque no.372407, 372408 and 372409 on 16.12.2015 which clearly shows there is no similarity appear in between the amounts drawn and vouchers prepared.
6. As per section 99-5.a of the APFD Code and as per instructions of PCCF in Circular memo. Ref.no.34670/2010/CAMPA-M3, dt.21.01.2010, for all works costing Rs.5,000/- and above, payment shall have to be made only by cheque. But all the payments made on the above works by Sri Venkanna, Chairman of Sri Konda Rama EDC, Chollangi, the FSO, and the Forest Range Officer, Wildlife Management, Kakinada in cash, intentionally violating the norms.

7. Sri P. Ram Babu, Owner of Durga Ravulamma Timber Depot, Jaggampeta was examined on 15.05.2015 regarding the genuineness of the bill supplied on his firm name. He informed that:

i. He has been running Sawmill since 1998 by getting forest license in the name of Sri Venkata Durga Sawmill. The exempted wood species like Vepa, Coconut, Tumma and Mamidi are being converted into various sizes in his sawmill by charging Rs.60/- per cubic feet and accordingly the bill is being issued for cutting charges only.
ii. He has been running timber depot also since 1998 by getting commercial license for selling exempted species like Tati (Palmyrah) Vepa (Neem), Coconut etc., and accordingly the bill is being issuing for sold material.
iii. The Forest Department Officials of WLM Range, Kakinada have approached him and said that the work of wooden bridge would be constructed by using Palmyrah Bajus and for purchasing Palmyra Bajus, an empty bill book is necessary for drawing amount. The depot owner has stated that as the Forest officials are licensing authorities and as such he had given an empty bill book. But, he had not supplied any material as mentioned in the bills and he did not sign on any bill. The Forest Officials themselves had fabricated and signed the bills which he had given empty bill book.
iv. He usually purchase the Teak trees from nearby formers and sell by issuing the bills and he admitted his fault of selling teak wood without getting forest license.

C. <u>Procurement of Monolithic fencing stones:</u>

Provision was made in the estimates towards procurement of Monolithic fencing stones of size 1.80 x 0.15 x 0.15 mts. payments were made through vouchers and bills to the supplier. As per V & E report, it is observed that:

i. 2,299 monolithic fencing stones against the estimate provision of 2,062, having measurements of 1.80x1.50x0.15 mts. each were purchased in the months of September and November of 2015 from Sri Srinivasa Gramabhivruddi Committee, Ananthagiri of Kodada Village of Nalgonda Mandal for an amount of Rs.9,19,600/- at Rs.400/- per each stone including transportation charges.
ii. Bills with repeated numbers in haphazard manner i.e., later bills with earlier date were observed which indicates that the bills were fabricated by the charged officer and his staff.
iii. Sri Nakirikanti Sundar Rao, S/o Chinna Veeraswamy and two others of Anantagiri(V) and (M) of Nalgonda District from whom the monolithic fencing stones were reported to have obtained was examined by the officials of Vigilance & Enforcement Department. He informed that:

1. They have been supplying monolith fencing stones on an order for the last seven years. Accordingly, he had supplied about 2300 No. of fencing stones to the Forest Officials of WLM Range, Kakinada at a rate of Rs.300/- per each stone including transportation charges as he has having Lorry bearing no. A.P. 16/ T T- 9824.
2. For this purpose, he had given an empty receipt book of Sri Srinivasa Gramabhivruddi Committee, Ananthagiri which is being used for collecting "aaseal" "for transportation of stones from quarry area. The writing and signing on the receipts are not written by them.

iv. On comparison, the signature on his statement is not tallying with the signatures on the receipt bills.

The Forest Beat Officer is basically responsible for proper protection, management and execution of works in the Beat. Whereas, the delinquent officer in this case had worked against the Department and caused damage to the prestige of the Department. Thus, she is collectively held responsible for tampering and fabrication of records as pointed out above with malafide intention and misappropriated the Government funds. Had the V&E Officials have not taken the inspection and not verified the works in the field, the lapses / irregularities misappropriation of funds would have not come into light. **Hence, the charge**.

Accordingly, the above Charged Officer (now Retired) has violated the provisions of Wildlife (Protection) Act, 1972 and general duties and responsibilities of Forest Officer under Section 148 of A.P. Forest Department Code and failed to attend the legitimate duties and responsibilities of Forest Beat officer as envisaged under Section 157 of A.P. Forest Department Code and other guidelines of A.P. State CAMPA and other G.Os and Circular instructions issued from time to time.

Thus, the Charged Officer with above mentioned acts has exhibited lack of integrity, discipline, devotion to duty, impartiality and a sense of propriety and behaved in a manner which is unbecoming of a Government servant or derogatory to the prestige of Government, thereby contravened Rule-3 of the A.P.C.S (Conduct) Rules, 1964. **Hence, the Articles of charges**".

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER

6392530/2022/SEC-IV-EFS01

ANNEXURE – III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SMT. P. JAYA LAKSHMI, FOREST BEAT OFFICER (CONTRACT), RETIRED ON 31.05.2019, EARLIER WORKED IN WILDLIFE MANAGEMENT BEAT, CORINGA OF WILDLIFE MANAGEMENT RANGE, KAKINADA OF WILDLIFE MANAGEMENT DIVISION, RAJAMAHENDRAVARAM OF RAJAHMUNDRY CIRCLE ARE PROPOSED TO BE SUSTAINED.

1. Director General (V&E) & E.O. Prl. Secretary to Govt., G.A.D (V&E) Dept., Govt. of A.P., Vigilance Report no.49 (C.no.1594/V&E/NR.1/2016), dt.10.10.2018.
2. Memo.No.4682/Sec.IV/A1/2018-2, EFS & T (SEC.IV) Dept., dated 14.11.2018.
3. Memo.No.4682/Sec.IV/A1/2018-3, EFS & T (SEC.IV) Dept., dated 14.11.2018.
4. PCCF& HoFF, A.P., Guntur, Lr.Ref.No.EFS02-19024/75/2018/Vig-1, dated 02.12.2018.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER

6392530/2022/SEC-IV-EFS01

ANNEXURE – IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SMT. P. JAYA LAKSHMI, FOREST BEAT OFFICER (CONTRACT), RETIRED ON 31.05.2019, EARLIER WILDLIFE MANAGEMENT BEAT, CORINGA OF WILDLIFE MANAGEMENT RANGE, KAKINADA OF WILDLIFE MANAGEMENT DIVISION, RAJAMAHENDRAVARAM OF RAJAHMUNDRY CIRCLE ARE PROPOSED TO BE SUSTAINED.

The concerned officials of the Vigilance & Enforcement department of Rajamahendravaram unit who have inspected the works in Coringa Wildlife Sanctuary of Wildlife Management Range, Kakinada of WLM Division, Rajamahendravaram.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER